

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KATHELINE M. PIERRE,

Plaintiff,

-against-

UNITED STATE FEDERAL AGENCY OF
DEPOSIT INSURANCE CORPORATION,

Defendant.

22-CV-8704 (LTS)

ORDER DIRECTING PAYMENT OF FEE
OR AMENDED IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed *in forma pauperis* (IFP) application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted an IFP application, but her responses do not establish that she is unable to pay the filing fees. Plaintiff provides incomplete, conflicting, and nonresponsive information. She states that she has income from employment but also indicates that she is “temporarily retired” and collecting a pension. She states that she owns two cars valued at \$60,000, owns real property and collects rent payments, and owns stocks and bonds. She indicates that her quarterly monthly expenses are \$500,000, and that she contributes \$40,000 annually to the maintenance of dependent children. She has “discretionary [ex]penditures” of \$82,000. Thus, it appears that Plaintiff has sufficient funds to pay the filing fees.

Accordingly, within 30 days of the date of this order, Plaintiff must either pay the \$402.00 in fees or submit an amended IFP application. If Plaintiff submits the amended IFP application, it should be labeled with docket number 22-CV-8704 (LTS) and address the

deficiencies described above by providing facts to establish that she is unable to pay the filing fees.

No summons shall issue at this time. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: October 20, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge